



# Iowa Department of Human Services

Terry E. Branstad  
Governor

Kim Reynolds  
Lt. Governor

Charles M. Palmer  
Director

July 29, 2014

<b>Date Complaint Received:</b> 7/16/14
<b>Complaint Received By:</b> Chad Reckling, SW II
<b>Provider Name and Location:</b> Shannon Whittaker 830 N 6 <sup>th</sup> St Burlington IA 52601
<b>Complaint:</b> The provider has submitted billing for children which shows that they have been over number of children that they are legally allowed to have at any given time.  Rule Basis: <b>110.9(1) SPECIFIC REQUIREMENTS FOR CHILD DEVELOPMENT HOME CATEGORY "B"</b> <b>110.9(1)a</b> Not more than six preschool children present at any one time including infants. <b>110.9(1)b</b> Of these six children, not more than four children who are 24 months of age or younger are present at any one time. <b>110.9(1)b</b> Of the four children under 24 months of age, no more than three may be 18 months of age or younger. <b>110.9(1)c</b> Not more than four additional school-age children. <b>110.9(1)d</b> Not more than two children who are receiving care on a part-time basis at any one time. <b>110.9(1)e</b> Not more than 12 children present when the emergency school closing exception is in effect. <b>110.9(1)f</b> When more than 8 children are present for more than two hours, a DHS-approved assistant at least 14 years old is present.
<b>Findings:</b> <b>7/18/14</b> Out of 28 billing days (6/9/14-7/6/14) the provider submitted information to the department that she was over numbers for maximum children allowed in her daycare home for 5 days (18 percent). Examples of number of children are as follows:  6/9/14 8:00-3:00 pm (13-14 children) 6/16/14 12:30-4:30 pm (13 children) 6/17/14 8:00-3:00 pm (13-14 children) 6/18/14 11:00-3:00 pm (13 children) 6/25/14 8:00-10:30 am (14 children)  <b>7/19/14</b> This worker made contact with Shannon at her daycare home and confronted her on the allegations before the department. There were 7 daycare children present in the home at this time (3 school-aged children and 4 non-school-aged children). This worker showed Shannon a copy of the billing that was submitted for the period 6/9/14-7/6/14. Shannon stated she has not been over numbers, but instead the days in question involved children she could bill absent for and since those children were not coming she was able to get a hold of other parents to bring their children in place of those children who were absent. She will try to fill slots with other children if she is given enough notice to have other children come. Shannon stated she does not have a daily sign-in sheet for her parents to sign

yet; however she will be implementing it soon. On the days in question the following had occurred:

6/9/14 Two children were absent so she had two more children come in their place while she billed the original two children as being absent.

6/16/14 Two children were absent so she had two more children come in their place while she billed the original two children as being absent.

6/17/14 Four children were absent so she had two more children come in their place while she billed the original four children as being absent.

6/18/14 Two children were absent so she had two more children come in their place while she billed the original two children as being absent.

6/25/14 Three children were absent so she had two more children come in their place while she billed the original two children as being absent.

This worker did not complete a full compliance visit at the home today since one was completed on 6/4/14.

**Complaint:**

There is not a preponderance of evidence to validate the concerns before the Department. The provider can feasibly bill for a child who is absent, but is scheduled to be at the daycare home for four days out of the month. The provider has the ability to have other children replace those who are absent to maintain a consistent number of children present.

**Resolution:** This worker had Shannon sign a safety plan on 6/4/14 stating that:

**“I will stay within my maximum number of children allowed based on my level of care at any given time.”**

This worker will conduct follow up visits to the home in order to insure Shannon is remaining within her statutory allowed number of children she can care for at any given time and adhering to the safety plan dated 6/4/14.

If you have any questions regarding this matter feel free to contact me at (319) 208-5521 or [creckli@dhs.state.ia.us](mailto:creckli@dhs.state.ia.us).

Sincerely,

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*MACHELLE PEZLEY*

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